

# **CITY COUNCIL AGENDA**

**JUNE 6, 2006**

## **AMENDED AGENDA**

LINDA J. LE ZOTTE  
FORREST WILLIAMS  
CINDY CHAVEZ, VICE MAYOR  
CHUCK REED  
NORA CAMPOS

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER  
MADISON P. NGUYEN  
DAVID D. CORTESE  
JUDY CHIRCO  
NANCY PYLE

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Community & Economic Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Neighborhood Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation & Aviation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 9 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

- **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- When the Council reaches your item on the agenda, Mayor Gonzales will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

**The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.**

Agendas and Staff Reports for City Council items may be viewed on the Internet at [www.sanjoseca.gov/clerk/agenda.asp](http://www.sanjoseca.gov/clerk/agenda.asp)

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-1260 or (408) 294-9337 (TTY) at least two business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**  
9:30 a.m. - Closed Session, City Hall Tower, 18<sup>th</sup> Floor, City Hall  
[See Separate Agenda](#)  
1:30 p.m. - Regular Session, Council Chambers, City Hall
- **Invocation (District 6)**  
The Silicon Valley Gay Men's Chorus, performing in recognition of the month of June as Gay and Lesbian Pride Month
- **Pledge of Allegiance**
- **Orders of the Day**

\* **THERE WILL BE A MEETING OF THE CITY OF SAN JOSÉ PARKING AUTHORITY FOLLOWING THE AFTERNOON COUNCIL SESSION**

Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

**ITEM 9.1 IS TO BE CONSIDERED IN A JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD SESSION.**

**Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.**

## **1. CEREMONIAL ITEMS**

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- 1.1** Presentation of a commendation to City of San José employees for their contributions as outstanding blood donors to the American Red Cross and promotion of the upcoming Employee Services sponsored Blood Drive on Wednesday, June 14, 2006. (City Manager's Office)

# 1. CEREMONIAL ITEMS

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- 1.2 Presentation of a commendation to Windmill Springs Elementary School for its achievement as a California Distinguished School from the State of California. (Nguyen)
- 1.3 Presentation of a proclamation declaring June 6, 2006 as “Stop the Violence Day” in the City of San José. (Chavez)
- \* (Rules Committee referral 5/31/06)

# 2. CONSENT CALENDAR

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**Notice to the public:** There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

## 2.1 Approval of Minutes.

## 2.2 Final adoption of ordinances.

**Recommendation:** Final adoption of ordinances:

- (a) ORD. NO. 27761 – Amends Section 13.28.140 of Chapter 13.28 of Title 13 of the San José Municipal Code to increase the posting period for potential street tree removals from seven to fourteen days and if no timely objection has been received by the Director of the Department of Transportation, the proposed street tree removal may be carried out seventeen days from the initial date of posting, and amends Section 13.28.340 of Chapter 13.28 of Title 13 to increase the potential maximum civil penalty for removal or destruction of heritage trees within a three year period from five thousand dollars to thirty thousand dollars.
- \* (b) ORD. NO. 27755 – Rezoning certain real property situated at the northeast corner of East Taylor Street and North Sixth Street to A(PD) Planned Development Zoning District. PDC05-094
- \* (c) ORD. NO. 27756 – Rezoning certain real property situated on the north side of East Gish Road approximately 300 feet westerly of Oakland Road to A(PD) Planned Development Zoning District. PDC03-099
- \* (d) ORD. NO. 27757 – Amending Section 20.40.100 of Chapter 20.40, Section 20.50.100 of Chapter 20.50, Section 20.70.100 of Chapter 20.70, Sections 20.80.2020 and 20.80.2030 of Chapter 20.80 and Section 20.100.500 of Chapter 20.100, all of Title 20 of the San José Municipal Code, to enact further permit streamlining measures pertaining to minor additions to nonresidential buildings and to temporary and standby generators in nonresidential districts and to create a permitting process for wineries and breweries in commercial zoning districts.

## 2. CONSENT CALENDAR

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### 2.3 Approval of a Voter-Owned Campaign Appropriation.

**Recommendation:** Approval of the following 2005-2006 appropriation ordinance amendments in the General Fund:

- (a) Increase the City-wide Elections Commission appropriation in the amount of \$50,000 for expenses related to the implementation of the Voter-Owned Campaign Ordinance.
- (b) Decrease the Contingency Reserve by \$50,000.

CEQA: Not a Project. (City Manager's Office)  
(Referred from 5/16/06 – Item 3.5)

### 2.4 Approval of fiscal actions for Redevelopment Agency Capital Projects.

**Recommendation:**

- (a) Adoption of the following 2005-2006 appropriation ordinance and funding sources resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund):
  - (1) Increase the estimate for Earned Revenue by \$30,423.
  - (2) Establish an appropriation to the Department of Transportation for the Santa Clara Street Festoon Lighting Improvement Project (PSM #447) in the amount of \$30,423.
- (b) Adoption of a resolution making certain determinations regarding the related expenditure of Redevelopment Agency funds on certain public improvements in connection with:
  - (1) The Santa Clara Street Festoon Lighting Improvement Project as more specifically described in the memorandum from the Redevelopment Agency, dated May 5, 2006.

CEQA: Not a Project. Council District 3. (City Manager's Office)

### 2.5 Approval of fiscal actions related to the Convention Center Capital Improvement Needs.

**Recommendation:** Adoption of the following appropriation ordinance amendments:

- (a) Establish an appropriation in the General Fund for the Convention Center Fire Attenuation System for \$247,000.
- (b) Establish an appropriation in the General Fund for the Convention Center VFD Drive for \$7,000.
- (c) Increase the appropriation in the General Fund for Convention Center Marquee by \$53,000.
- (d) Establish an appropriation in the General Fund for Electrical Substation Transformers for \$120,000.
- (e) Decrease the California Theater Reserve by \$427,000.
- (f) Establish an appropriation in the Convention and Cultural Affairs Fund for Miscellaneous Improvements and Repairs for \$9,368.
- (g) Increase Earned Revenue in the Convention and Cultural Affairs Fund by \$9,368.

CEQA: Not a Project. (City Manager's Office)

## 2. CONSENT CALENDAR

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### 2.6 Approval to set Public Hearings on the Business Improvement Districts.

#### **Recommendation:**

- (a) [Preliminary approval of the report as filed by the Japantown Business Improvement District Advisory Board or as modified by Council, and adoption of a resolution of intention to levy the annual assessment for 2006-07, and set June 20, 2006 at 1:30 p.m. as the date and time for the public hearing on the levy of the proposed assessments. CEQA: Exempt, PP03-05-165. Council District 3. SNI: 13<sup>th</sup> Street. \(Economic Development\)](#)
- (b) [Preliminary approval of the report as filed by the Willow Glen Business Improvement District Advisory Board, or as modified by Council; and adoption of a resolution of intention to levy the annual assessment for 2006-2007, and set June 20, 2006 at 1:30 p.m. as the date and time for the public hearing on the levy of the proposed assessments. CEQA: Exempt, PP03-05-165. Council District 6. \(Economic Development\)](#)
- (c) [Preliminary approval of the report as filed by the Hotel Business Improvement District Advisory Board or as modified by Council, and adoption of a resolution of intention to levy the annual assessment for 2006-07, and set June 20, 2006 at 1:30p.m. as the date and time for the public hearing on the levy of the proposed assessments. CEQA: Exempt, PP03-05-165. Council District 3. SNI: 13<sup>th</sup> Street. \(Economic Development\)](#)
- (d) [Preliminary approval of the report as filed by the Downtown Business Improvement District Advisory Board, or as modified by Council; and adoption of a resolution of intention to levy the annual assessment for 2006-2007, and set June 20, 2006 at 1:30 p.m. meeting as the date and time for the public hearing on the levy of the proposed assessments. CEQA: Exempt, PP03-05-165. Council District 3. SNI: St James Square, University, Josefa/Auzerais, Burbank/DelMonte. \(Economic Development\)](#)  
[Supplemental](#)

### 2.7 [Approval to purchase a Sobriety Checkpoint Vehicle.](#)

- \* **Recommendation:** Report on bids and approval of the award of the purchase of one Sobriety Checkpoint Vehicle from Matthews Specialty Vehicles, the only responsive bidder, in an amount not to exceed \$305,666.61, and authorization to the Director of Finance to execute the purchase order. CEQA: Not a Project. (Finance)

### 2.8 [Approval of an agreement for the exchange of easements in Alum Rock Village.](#)

#### **Recommendation:**

- (a) Approval of the agreement between the City of San José and Anthony Caruso for the exchange of easements in Alum Rock Village; and,
  - (b) Adoption of a resolution delegating authority to the Director of General Services to execute all documents necessary to complete the transfer of each property.
- CEQA: Exempt, H04-046. Council District 3. SNI: Spartan/Keyes. (General Services)
- \* **RECOMMEND DEFERRAL TO 6/27/06**

## 2. CONSENT CALENDAR

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### 2.9 [Approval of actions to transfer property to the Santa Clara Valley Water District.](#)

**Recommendation:**

- (a) Adoption of a resolution authorizing the Director of General Services to execute all documents necessary to complete the transfer of real property located at 375 McLellan Avenue, comprising approximately 6,210 square feet, to the Santa Clara Valley Water District.
- \* (b) Adoption of the following amendments to the annual appropriation ordinance in the Building and Structure Construction Tax Fund:
  - (1) Establish a transfer to the General Fund in the Building and Structure Construction Tax Fund in the amount of \$245,000 for the Foxworthy Bridge Mitigation Project.
  - (2) Reduce the Foxworthy Bridge Mitigation appropriation in the amount of \$245,000.

CEQA: Exemption, PP06-078. (General Services/Transportation/City Manager's Office)

### 2.10 [Approval of a Grant Agreement for the Bay Trail Reach Project.](#)

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute an ABAG Planning Grant Agreement for an amount not to exceed \$95,000 for the Bay Trail Reach 9B Project. CEQA: Mitigated Negative Declaration, PP02-05-116. Council District 4. (Parks, Recreation and Neighborhood Services)

### 2.11 [Approval of actions related to the annexation of McKee No. 130.](#)

**Recommendation:** Adoption of a resolution initiating proceedings on the reorganization of territory designated as McKee No. 130 which involves the annexation to the City of San José of 10.88 acres of land more or less, located at the southwest corner of Capitol Avenue and Mabury Road and adjacent to the City of San José annexation McKee Nos. 122, 78-A, 80, 115, 84, and 97 and the detachment of the same from Central Fire Protection, and Area No. 01 (Library Service) County Service Districts. CEQA: Mitigated Negative Declaration (File No. PDC05-060). Council District 4. (Planning, Building and Code Enforcement)

### 2.12 [Approval to amend the Police and Fire Retirement Plan.](#)

**Recommendation:** Approval of [an ordinance](#) amending Chapter 3.36 of Title 3 of the San José Municipal Code to clarify various provisions of the Police & Fire Retirement Plan with respect to compliance with requirements of the Internal Revenue Code. CEQA: Not a Project. (Retirement Services)

## 2. CONSENT CALENDAR

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### 2.13 [Approval to award a contract for sidewalk accessibility improvements.](#)

**Recommendation:** Report on bids and award of contract for the 2005-2006 Curb Ramp Improvements in qualified low-to-moderate income areas project to the low bidder, Vanguard Construction, in the amount of \$284,395, and approval of a contingency in the amount of \$14,220, for a total contract amount not to exceed \$298,615. CEQA: Exempt, File No. G70, FY 05-06. Council Districts 1, 3, 5, 6, 7, and 10. (Transportation)

### 2.14 [Approval of an agreement with the City of Campbell for street maintenance.](#)

**Recommendation:** Approval of a cooperative agreement with the City of Campbell to perform street maintenance on sections of Bascom Avenue from East Mozart Avenue to Hamilton Avenue, with a contribution from the City of Campbell in an amount not to exceed \$484,395. CEQA: Exempt, File No. PP04-233. Council Districts 6 and 9. (Transportation)

### 2.15 [Appointments to the Airport Noise Advisory Committee.](#)

- \* **Recommendation:** Approval of the appointment of Mr. Xavier Campos, City of San José Planning Commission, and Mr. Yen Chen, Associate Planner, City of Santa Clara Planning Department, to the Airport Noise Advisory Committee. (Airport)

## 3. STRATEGIC SUPPORT SERVICES

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### 3.1 Report of the Study Session Mayor Gonzales, Chair

### 3.2 Report of the Rules Committee – [May 24, 2006](#) Vice Mayor Chavez, Chair

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
  - (1) Review June 6, 2006 Draft Agenda
    - (a) Adds to the June 6, 2006 Draft Agenda
  - (2) Add New Items to May 30, 2006 Agenda
    - (a) Mayor and Councilmember Requests
    - (b) Council Appointee Requests
- NONE – MEETING CANCELLED**
- (3) List of Reports Outstanding
- (c) Legislative Update
  - (1) State
  - (2) Federal

*(Item continued on next page.)*



### 3. STRATEGIC SUPPORT SERVICES

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#### 3.2 Report of the Rules Committee – May 24, 2006 (Cont'd.)

##### Vice Mayor Chavez, Chair

- (d) Meeting Schedules
  - (1) Council Meeting Schedule, August 2006-January 2007. (City Manager)
- (e) The Public Record
- (f) Appointments to Boards, Commissions and Committees
- (g) Rules Committee Reviews, Recommendations and Approvals
  - (1) Approval of Travel by Councilmember Nora Campos to attend the National League of Cities Board of Directors Meeting in Roanoke, Virginia, July 20-23, 2006. (Campos)
- \* **DROPPED**
  - (2) Approval of Travel by Mayor Gonzales to attend the 74<sup>th</sup> Annual Meeting of the U.S. Conference of Mayors in Las Vegas, Nevada, June 4-6, 2006. (Mayor)
- (h) Open Forum
- (i) Adjournment

#### 3.3 Report of the Making Government Work Better Committee – [May 18, 2006](#) Council Member Reed, Chair

- (a) An Audit of the San José Municipal Water System Fire Hydrant Maintenance and Repair Program
- (b) FY 2005-2006 Third Quarter Debt Report
- (c) FY 2005-2006 Third Quarterly Summary – City's Investment Report
- (d) Report back from the Retirement Boards Regarding Conflict of Interest and "Exparte" Communications between Board Members with Actuaries
- (e) Semi-Annual Audit Recommendations Follow-Up Report on all Outstanding Audit Recommendations for the Six Months Ended December 31, 2005
- (f) Independent Auditor's Report and Financial Statements, and Report to City Council Results of the 2005 Financial Audit of the San José Convention Center and Cultural Facilities as Managed by Team San José, Inc. for the Fiscal Year Ended June 30, 2005
- (g) Oral Petitions
- (h) Adjournment

#### 3.4 [Discussion and/or action related to the San José Mercury News Request for Information.](#)

##### [City Attorney's Memo](#)

**Recommendation:** Discussion and/or action related to the San José Mercury News request for information for release of information associated with the November 29, 2005 Closed Session Council discussion and direction to staff regarding Silicon Valley Sports and Entertainment and the Earthquakes. (Cortese)

### 3. STRATEGIC SUPPORT SERVICES

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#### 3.5 [Approval to issue General Obligation Bonds \(Series 2006\).](#)

##### [Supplemental](#)

**Recommendation:** Adoption of a resolution:

- (a) Authorizing the issuance of City of San José General Obligation Bonds, Series 2006 (Libraries and Parks Projects) (the “2006 Bonds”) in the not-to-exceed aggregate principal amount of \$110,100,000 to be sold at a competitive sale.
- (b) Approving, in substantially final form, the Fiscal Agent Agreement, the Official Notice Inviting Bids, and the Preliminary Official Statement; authorizing the City Manager or other authorized officers to execute these documents and other related documents as necessary in connection with the issuance of the 2006 bonds.

CEQA: Not a Project. (Finance)

#### 3.6 **Resolution of support for the Marine Life Protection Act.**

**Recommendation:** Adoption of a resolution of support for the Marine Life Protection Act (MLPA) as a means of ensuring a healthy and productive ocean for future generations of San José residents to visit and enjoy. (Campos)

\* (Rules Committee referral 5/31/06)

### 4. COMMUNITY & ECONOMIC DEVELOPMENT

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#### 4.1 **Report of the Building Strong Neighborhoods Committee – [May 15, 2006](#)** **Council Member Chirco, Chair**

- (a) Citywide Street Sweeping Update
- (b) Vehicle Abatement  
**DROPPED**
- (c) Parkland Dedication Ordinance and Park Impact Ordinance – Follow Up Discussion  
**DEFERRED TO JUNE**
- (d) Strong Neighborhoods Initiative Report on New SNI Areas
- (e) Oral Petitions
- (f) Adjournment

#### 4.2 **Report of the Driving a Strong Economy Committee** **Council Member Williams, Chair**

### 5. NEIGHBORHOOD SERVICES

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#### 5.1 **Report of the All Children Achieve Committee** **Council Member Yeager, Chair**

## 5. NEIGHBORHOOD SERVICES

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### 5.2 Approval of actions related to the Boys and Girls Club.

#### Councilmember's Memo

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and return to the City Council for approval of an agreement with the Boys and Girls Club (BGC) of Silicon Valley that consists of the following elements:

- (a) Acquire BGC's sports field property adjacent to the Smythe Clubhouse for an amount not to exceed \$1 million, and enter into a joint use agreement with BGC for the use of the sports field;
- (b) Work with BGC and third party non-profit organizations to develop an operations and fund development workplan to assist BGC in establishing a stable financial condition; and
- (c) BGC to assume operation of the afterschool and summer programming at Empire Gardens Elementary School while the City evaluates options for future community serving uses of the City's property at 110 E. Jackson Street.

CEQA: Exempt, File No. PP06-071. (City Manager's Office/Parks, Recreation and Neighborhood Services)

(Deferred from 5/9/06 – Item 5.8 and 5/23/06 – Item 5.2)

### 5.3 Follow-up to Facility Re-Use Request for Qualifications (RFQ) Process.

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#### **Recommendation:**

- (a) Approval of the following actions:
  - (1) Conduct additional neighborhood specific outreach meetings, including a Council study session following the community process, and revising the Request for Qualifications (RFQ) for Facility Re-Use given the input obtained through the community process and;
  - (2) Explore revising the Healthy Neighborhoods Venture Fund (HNVF) and other major grant programs to follow a San José BEST Request for Qualifications model process or other best practices, beginning in July 2008 for the 2008-2009 cycle.
- (b) Approval of the following amendments to the 2006-2007 Proposed Operating Budget:
  - (1) Increase the Parks, Recreation and Neighborhood Services Department Personal Services appropriation by \$499,264 to continue operations at the facilities on the Re-Use list for a year at current levels;
  - (2) Increase the Parks, Recreation and Neighborhood Services Department Non-Personal/Equipment appropriation by \$94,445 to pay building utilities costs for the facilities on the Re-Use list for a year;
  - (3) Establish a reserve for the Parks, Recreation and Neighborhood Services Department in the amount of \$96,684 to fund in 2007-2008 building maintenance and utilities costs for community based organizations to use if awarded a school re-use facility for operations and maintenance;

*(Item continued on the next page)*

## 5. NEIGHBORHOOD SERVICES

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### 5.3 Follow-up to Facility Re-Use Request for Qualifications (RFQ) Process (Cont'd.)

- (b) (4) Increase the Parks, Recreation and Neighborhood Services Department Personal Services appropriation by \$116,418 and increase the Parks, Recreation and Neighborhood Services Department Non-Personal/Equipment appropriation by \$47,000 to continue operation of the Northside Community Center in the event there is no successful community based organization as a result of the RFP process currently underway;
- (5) Establish a reserve for the Parks, Recreation and Neighborhood Services Department in the amount of \$142,000 to fund in 2007-2008 building maintenance and utilities costs for Northside Community Center in the event a community based organization is awarded the facility for operation and management and;
- (6) Decrease the Enhanced Parks Maintenance Reserve by \$995,811. This Reserve will be used to fund a portion of the parks maintenance and operation costs for new facilities that are scheduled to come on-line in 2006-2007, thereby freeing up General Fund funding to support the recommendations above.

CEQA: Exempt, File No. PP06-044. (Parks, Recreation and Neighborhood Services/ City Manager's Office)

(Deferred from 5/16/06 - Item 5.3)

### 5.4 [Approval of funding commitments from the Home Investment Partnership Program.](#)

**Recommendation:** Adoption of a resolution:

- (a) Approving a funding commitment for a loan of up to \$5,250,700 of HOME Investment Partnership (HOME) program funds to Charities Housing, a Community Housing Development Organization (CHDO), for the future development of a rental housing project affordable to extremely low- and very low-income households.
- (b) Approving a funding commitment of up to \$2,000,000 to Neighborhood Housing Services Silicon Valley (NHSSV) in HOME funds for the expansion of its homebuyer program for low-income households and approving a funding commitment for a total of \$450,000 of HOME administrative funds for the next three years to NHSSV for operating support as a CHDO.

CEQA: Not a Project. (Housing)

## 6. TRANSPORTATION & AVIATION SERVICES

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### 6.1 Report of the Building Better Transportation Committee Council Member Campos, Chair

### 6.2 Approval to award a contract for the Remove and Replace Asphalt Concrete Pavement Project.

**Recommendation:** Report on bids and award of contract for the Remove and Replace Asphalt Concrete Pavement 2006 Project to the low bidder, G. Bortolotto & Co., Inc. in the amount of \$2,061,573 and approval of a ten percent (10%) contingency amount of \$206,157. CEQA: Exempt, PP04-039. (Transportation)

## 7. ENVIRONMENTAL & UTILITY SERVICES

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### 7.1 Approval of actions related to the sale of the Las Plumas Avenue Property.

**Recommendation:**

- (a) Approval to discontinue planning for housing use of 4.27 acres of City property located at 1608 Las Plumas Avenue and direction to staff to initiate planning for potential use of the site for enhanced City environmental programs upon transfer of \$4,500,000 in ESD funds to the Multi-Source Housing Fund.
- (b) Adoption of amendments to the annual appropriation ordinance and annual funding sources resolution as follows:
  - (1) In the San José/Santa Clara Treatment Plant Income Fund (514):
    - (a) Increase the revenue estimate by \$1,183,000.
    - (b) Establish a Transfer to the Multi-Source Housing Fund for Las Plumas Land Control in the amount of \$3,040,000.
    - (c) Decrease Ending Fund Balance by \$1,857,000.
  - (2) In the Integrated Waste Management Fund (423):
    - (a) Establish a Transfer to the Multi-Source Housing Fund for Las Plumas Land Control in the amount of \$1,460,000.
    - (b) Decrease the Environmental Services Non-Personal Services Appropriation by \$1,460,000.
  - (3) In Multi-Source Housing Fund (448):
    - (a) Establish a transfer to the Multi-Source Housing Fund of \$4,500,000 for the Las Plumas property.
    - (b) Decrease the Revenue in Multi-Source Housing Fund by \$4,350,000.
    - (c) Increase the Ending Fund Balance by \$150,000.

CEQA: Exempt, PP06-059. Council District 3. (Environmental Services/Housing/City Manager's Office)

## 8. PUBLIC SAFETY SERVICES

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### 8.1 Approval of actions related to the relocation of Fire Station No. 25.

#### Supplemental

#### \* **Recommendation:**

- (a) Adoption of the following appropriation ordinance amendments in the Neighborhood Security Bond Fund (Fund 475):
  - (1) Increase the appropriation to the Fire Department for the Fire Station No. 25 – Relocation Project by \$1,147,000.
  - (2) Decrease the appropriation for the Fire Training Center Project by \$267,000.
  - (3) Decrease the contingency reserve by \$880,000.
- (b) Report on bids and award of contract for the Relocation of Fire Station No. 25 Project to the low bidder, D.L. Falk Construction Inc., to include the base bid and Add Alternate Nos. 1 and 2 in the amount of \$3,703,800 and approval of a contingency in the amount of \$185,190.
- (c) Approval of the first amendment to the agreement with BFGC Architects Planners, Inc. to increase the agreement compensation in the amount of \$68,800, for a total agreement amount of \$377,800.

CEQA: FS No. 25: Resolution No. 69636 and addenda thereto, File No. PP04-331.  
Council District 4. (Public Works/Fire/City Manager's Office)

## 9. JOINT COUNCIL/REDEVELOPMENT AGENCY

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### **CONVENE REDEVELOPMENT AGENCY BOARD TO CONSIDER ITEM 9.1 IN A JOINT SESSION**

### 9.1 **Approval of actions related to the Strong Neighborhoods Initiative – renewing the action agenda framework.**

#### \* **Recommendation:**

- (a) Approval of actions related to the Strong Neighborhoods Initiative - Renewing the Action Agenda Framework
- (b) Direction to take Building Strong Neighborhoods Committee beyond the redevelopment areas framework.

[Building Stronger Neighborhoods Committee 4/17/06 - Item 4.1 (c) and 5/2/06 - Item 4.3]

[Building Strong Neighborhoods Committee 6/6/06 – Item 4.1(d)]

**TO BE HEARD IN THE EVENING**

**RECOMMEND DEFERRAL TO 6/13/06**

**ADJOURN REDEVELOPMENT AGENCY BOARD PORTION OF THE MEETING**

- Closed Session Report

- **Notice of City Engineer's Pending Decision on Final Maps**  
 \* In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>	<u>Proposed Decision</u>
9644	South side of E. Williams Street, 400' w/o McLaughlin Avenue	3	KB Home South Bay	105 Units	SFDR	Approve

In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
9807	NE corner of Autumnvale Dr. and Trade Zone Blvd.	4	Citation Homes	12 Lots/ 104 Units	SFA
9820	E/S of Page St. 460' North of Ceichi Ave.	6	Mohamad Tisani	1 Lot/ 4 Units	MFA

- **Notice of City Engineer's Award of Construction Projects**  
 \* On October 25, 2005, City Council approved a one year pilot program that delegated authority to the Director of Public Works to award or reject bids on construction projects where the base contract amount is below \$1,000,000. In accordance with this policy, the following is a list of projects that were awarded or rejected by the Director of Public Works in May 2006

**AWARD:**

<u>Project Name</u>	<u>Council District</u>	<u>Contractor</u>	<u>Contract Award Amount</u>	<u>Award Date</u>
Holly Hill Infrastructure Improvement	7	Joseph J. Albanese, Inc.	\$89,985	5/15/06
Union Avenue/Los Gatos-Alamden Road Improvement	9	O'Grady Paving Inc.	\$411,286	5/19/06

**REJECTION**

<u>Project Name</u>	<u>Council District</u>	<u>Engineer's Estimate</u>
Kebble Ave. Sanitary Sewer Replacement	6	\$780,000

- Open Forum—To be heard jointly with Redevelopment Agency Public Discussion.
- Adjournment



**CITY OF SAN JOSÉ PARKING AUTHORITY  
AGENDA**

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<b>1:30 P.M.</b>	<b>TUESDAY, JUNE 6, 2006</b>	<b>CHAMBERS</b>
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**1      CALL TO ORDER AND ROLL CALL**

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1:30 p.m. - Regular Session, Council Chambers, City Hall

**2      APPROVAL OF MINUTES**

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2.1      [Minutes of June 7, 2005](#)

**3      OLD BUSINESS**

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**4      NEW BUSINESS**

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**5      ADJOURNMENT**

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